

Title 4 BOARDS, COMMISSIONS and COMMITTEES

Chapter 4.1 ESTABLISHMENT

Town governance requires attention to many demands pursuant to Federal law, Maine Revised Statutes, and the Town Charter. In order to provide for that range of requirements and make provision for citizen participation in community affairs the Boards, authority, commissions and committees addressed herein, are hereby established.

Chapter 4.2 SELECTION PROCEDURES FOR COUNCIL APPOINTMENTS

4.2.1. Purpose.

When subject to council appointment, members of Town Boards, which term includes authority, commission, committee (both standing and ad hoc), and trust are selected using the following procedures.

4.2.2 Objectives.

There are certain general objectives which are critical to the successful functioning of council-appointed Boards among these are:

- A. That Boards always have available to them candidates for membership who are qualified for the unique needs of that Board.
- B. That each Board maintain the independent posture needed to encourage the free and open dialogue crucial to its function; and
- C. That all volunteers are shown the appreciation of the community regardless of whether or not they are appointed to a particular Board.

4.2.3 Procedures.

To achieve these goals, the following procedures for the selection of Board members are adopted:

- A. A list of applicants will be maintained by the Town Clerk.
- B. Volunteers must complete an application for each Board they wish to serve. Applicants will be listed in order by the date-time of receipt of the completed application by the Town Clerk. Applicants are eligible to serve only one primary board at a time (unless acting as an official designee to another board). Primary boards are defined as follows: Board of Appeals, Board of Assessment Review, Capital Improvement Program, Conservation Commission, Parks Commission, Planning Board, and Port Authority. All other boards are considered secondary. Service on secondary boards is limited to no more than three.
- C. No Town employees may be appointed to a Board, except when attendance is required in their official capacity.
- D. A member whose term is expiring is given consideration for reappointment first, subject to term limitations for the position, if any. Service for more than one-half of a term is considered a

full term for the purpose of calculating term limits. Alternates or associates on a Board will be given first consideration for appointment when an opening occurs, in order of length of service.

E. Applicants will be polled for interest for serving on a board when an opening occurs. Those refusing declining may opt to remain on the list and will be placed back on the list as of the date of declining.

F. Council may waive the interview requirement for reappointments; alternates applying for full membership; and full members applying for alternate status

G. With the exception of the Planning Board and Board of Appeals, eligible applicants are interviewed for a specific Board appointment prior to consideration by the full Council.

1. The interview is conducted by the Chairperson (or designated regular member) of the applicable Board and by one Council member designated by the Council. Councilor interviewing assignments are rotated so that no one Councilor would be involved in successive interviews for the same Board.

In event neither the Board Chairperson nor designated permanent member is available, the sitting Council may determine an alternate interview protocol.

2. Interviews are considered private.

3. Only one interview is conducted with each applicant for each position.

4. Both interviewers must agree to the acceptability of the candidate in order for that candidate's name to be considered by the full Council.

5. Applicants not recommended to the Council may opt to remain on the list(s) if they so desire. They must notify the Town Clerk in writing of their interest within one week of being notified of the non-appointment, and they will be placed at the bottom of the list. Otherwise, they will be removed from the list.

H. The following criteria are used in evaluating candidates:

1. Education

2. Training and experience

3. Related experiences

4. Any potential for conflict of interest

5. For reappointments or changes from Alternate to Full Member, attendance (rated as 'Excellent', 'Good', or 'Poor' is to be provided by the Chairperson of the Board on the interview form.

I. Any appointed Board member may be dismissed for cause by the Town Council pursuant to Section 2.07 (1) of the Town Charter.

4.2.4 Planning Board or Board of Appeals Interviews and Appointments.

A. Applicants will be interviewed for the Planning Board or Board of Appeals with at least a quorum present at a regular or special Council meeting. If there are multiple applicants for a Board, they will be interviewed by Council as a group including applicant(s) already interviewed.

B. Criteria listed in Section 4.2.3 H must be used in considering candidates for Planning Board and the Board of Appeals.

C. After the interviews are completed, Council, in open session, and by the following meeting, shall nominate, with a second, discussion and vote on the candidate(s) for the open vacancy.

D. A tie vote on an appointment shall be voted on by Council twice. Following the second tie vote the Council Chairperson shall determine the winner by lot by a coin toss.

E. Interviewed applicants not appointed may remain on the list if they so desire. They must notify the Town Clerk in writing of their interest within one week of being notified of the non-appointment, and they will be placed back on the list. Otherwise, they will be removed from the list.

4.2.5 Appointment Exceptions.

A. Building Committee – when Council-appointed membership is involved, appointment procedure is determined by the sitting Council.

B. Charter Commission – procedure is determined by the sitting Council.

C. Christmas Parade Committee – members recommended by sponsoring group.

D. Rice Public Library Board of Trustees – application and interview procedure applies, but appointment is made by Library Trustees.

E. Newly-formed Boards not existing as of November 1, 2000 – procedure is determined by the sitting Council.

F. For the purpose of aligning term ending dates, the Council may make appointments in excess of three years (but no more than four years).

4.2.6 Other Appointments.

A. Town Manager, including related positions held by Manager: Interview by Council as part of hiring procedure.

B. Individual positions not enumerated: Procedure determined by sitting Council.

Chapter 4.3 BOARD OF ASSESSMENT REVIEW

4.3.1 Created – Powers.

The Board of Assessment Review is created pursuant to Article VII of the Town Charter and exercises the powers conferred by that Article.

4.3.2 Membership.

Qualifications of members, their appointment and terms, is governed by Article VII of the Town Charter. Members serve until their successors are appointed and qualified.

Chapter 4.4 KITTERY COMMUNITY CENTER BOARD of DIRECTORS

4.4.1 Appointment and Composition.

A. Pursuant to the provisions of the Town Charter, Section 2.07(1), the Town Council establishes a Board of Directors for the Kittery Community Center at Frisbee Common to oversee those aspects of Center operations and facilities as delineated in this Chapter.

B. The Board consists of nine (9) voting members. Seven (7) are Kittery residents, serving staggered terms of office of three years each, plus the Town Manager and a Council-appointed Town Councilor. For the purpose of aligning term ending dates, the Council may make appointments in excess of three years (but no more than four years). The Recreation Director and Town Planner are ex officio members without voting rights.

C. Resident appointments are to be comprised of individuals with demonstrable experience or association with recreation (3); arts and culture (2); economic or community development (1); plus a member-at-large (1).

D. The initial appointment of one recreation member, one arts and culture member, and the economic or community development member are for three years. The second recreation and arts and culture initial appointments are for two years, with the remaining two appointments for one year. All subsequent resident appointments, or reappointments, are to be for three year periods, except as provided in 4.4.1 I.

E. Members of the Board are appointed by the Town Council.

F. Municipal officers or officials, or a spouse thereof, may not serve as a resident member of the Board.

G. Members serve until their successors are appointed and qualified.

H. A member of the Board may be dismissed for cause by the Town Council before the expiration of such member's term after notice and hearing.

I. Vacancies are filled by Town Council appointment for the unexpired term.

4.4.2 Powers and Duties.

A. The Board shall elect annually a chairperson, vice chairperson, and secretary from its membership. It is the duty of the secretary to keep and maintain a permanent record of all meetings of the Board, and show the vote of each member upon each question.

B. A quorum consists of five or more members. All decisions must be made by a minimum of five like votes, except on procedural matters.

C. The Board shall propose bylaws for Town Council adoption to govern routine Board proceedings.

D. The Board shall set agendas and hold meetings to perform duties.

E. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting thereon is decided by a majority vote of the members present, subject to 4.4.2 B above, except the member who is being challenged, who may not vote on the issue.

F. All records of the Board are public records, except as excluded under 1 M.R.S. §402 (3) (A)-(O), the Maine Freedom of Access (Right to Know) statute.

G. The Board is to:

1. Prepare and recommend a Long Range (5-Year) Community Center Development Plan for Council adoption, updated annually, and monitor and report on Plan implementation progress;

2. Develop operational policies, and approve operating procedure protocols recommended by administration;

3. Review and endorse an annual operating budget proposal for operations and facilities maintenance developed by administration;

4. Develop and annually recommend a Capital Program to the Capital Improvement Program Committee; and

5. Report quarterly for the first year of operation, then annually or at such intervals as the Town Council may direct thereafter, on programs, use, growth, and new activity at the Center. Such report may include elements to satisfy the Plan implementation progress report

Chapter 4.5 REGISTRATION APPEALS BOARD

RESERVED

Chapter 4.6 BOARD OF TRUSTEES of TRUST FUNDS

4.6.1 Created-Duties.

A Board of Trustees of trust funds is created to have the care and management of the Mary Stafford Wildes Estate, or any other similar funds.

4.6.2 Membership.

The board consists of five members, the chairperson of the town council and the town clerk to be ex officio members and the clerk to be treasurer of said fund, and three additional members to be appointed by the moderator for one, two and three years respectively; and hereafter each year one member is to be appointed by the Town Council for a three-year term and thereafter for successive three-year terms. Appointed members serve until their successors are appointed and qualified. For the purpose of aligning term ending dates, the Council may make appointments in excess of three years (but no more than four years).

Appointed member vacancies are filled by town council appointment for the unexpired term.

Chapter 4.7 PERSONNEL BOARD

4.7.1 Established-Composition-Qualifications, Terms, Removal, Compensation of Members-Filling of Vacancies-Duties Generally.

A Personnel Board is established, consisting of five members appointed by the Town Council. A personnel board is established, consisting of five members appointed by the Town Council. No member of the Board may be employed by the town, nor hold or be a candidate for any elective office. Members of the Board serve terms of three years and until their successors are appointed and qualified provided, however, that of the members originally appointed, one shall serve for a term of one year, two for a term of two years, and two for a term of three years. All terms expire on the same date in their respective years. Members serve conditioned only upon good behavior and may be removed for cause after notice and hearing. However, no member of the Board may serve for more than two consecutive three-year terms. Vacancies occurring during a term are filled by the Town Council for the balance of the term. Members of the Board serve without compensation, but funds will be provided for reasonable and necessary expenses. The Board elects its own chairperson. In addition to the duties set forth elsewhere in this chapter, the Board is to:

1. Advise the Town Manager on matters of personnel policy and problems of personnel administration, including the development of personnel rules, a job classification plan, and a uniform pay plan;
2. Represent the public interest in the improvement of personnel administration in the Town service;
3. Make any inquiry which it may consider desirable concerning personnel administration in the Town service, and make advisory recommendations to the Town Manager, with respect thereto.

4.7.2 Personnel Board Responsible for Hearing Grievances.

The Personnel Board is responsible for hearing grievances involving employees covered by this chapter in the manner and under the provisions specified by this chapter.

4.7.3 Opinions and Decisions of Personnel Board.

All opinions and decisions issued by the Personnel Board are advisory in nature and are issued to the Town Manager and to the employee(s) requesting the grievance hearing or separation/demotion hearing.

4.7.4 Function of Personnel Board Generally.

It is not the Personnel Board's function to exclusively represent the interests of the employee or the employer; it is the Board's function to fairly and impartially represent the interests of both parties and to clearly and continually work for the development of mutual respect, understanding, and cooperation between the parties.

Chapter 4.8 SHELLFISH CONSERVATION COMMITTEE

The shellfish conservation program for the town is administered by the shellfish conservation committee consisting of seven full members and two alternate members appointed by the Town Council for terms of three years. Members serve until their successors are appointed and qualified. For the purpose of aligning term ending dates, the Council may make appointments in excess of three years (but no more than four years). Vacancies are filled by town council appointment for the unexpired term.

The Committee's responsibilities include:

- A. Establishing annually in conjunction with the department of marine resources the number of shellfish digging licenses to be issued;
- B. Surveying each clam-producing area at least once every three years to establish size distribution and density and annually estimating the status of the Town's shellfish resources;
- C. Submitting to the Town Council proposals for the expenditures of funds for the purpose of shellfish conservation;
- D. Keeping this chapter under review and making recommendations for its amendments;
- E. Securing and maintaining records of shellfish harvest from the Town's managed shellfish areas and closed areas that are conditionally opened by the department of marine resources;
- F. Recommending conservation closures and openings to the Town Council in conjunction with the area biologists of the department of marine resources;
- G. Submitting an annual report to the municipality and the department of marine resources covering the above topics and all other committee activities.

Chapter 4.9 CONSERVATION COMMISSION

4.9.1 Appointment-Purpose.

Pursuant to the provisions of 30-A, M.R.S. §3261, the Town Council is to appoint a Conservation Commission for the protection and use of the natural resources located within the territorial limits of the Town.

4.9.2 Duties.

The commission is to:

A. Keep an index of all open areas within the municipality, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas.

The commission may recommend to the municipal officers or any municipal body or Board, or any body politic or public agency of the state, a program for the better protection, development or use of those areas, which may include the acquisition of conservation easements;

B. Conduct research, in conjunction with the Planning Board, into the local land areas;

C. Keep records of its meetings, finances and activities and make an annual report to the municipality; and

D. Seek to coordinate the activities of conservation bodies organized for similar purposes.

4.9.3 Powers.

The Commission may:

A. Make recommendations for use of land to the planning Board and park commission;

B. Prepare and print books, charts, maps, and plans as it deems necessary;

C. Serve as an advisory body to the public works department to review and advise, at least twice a year, at the call of the Town Manager, in conjunction with the management plan and maintenance of public parks and shade trees in public parks;

D. With the approval of the majority of the Town Council, receive gifts in the municipality's name for any of the commission's purposes and administer the gift for those purposes, subject to the terms of the gift; acquire land or easements and trusts, and accept gifts of land or money or easements, for conservation purposes; and

E. Develop and implement a management plan for Rogers Park with approval of the Town Council.

4.9.4 Membership.

A. The town council may appoint at least three, but not more than seven, conservation commissioners. The commissioners are selected from the qualified resident voters of the town. Members are initially appointed for terms of one, two and three years, such that the terms of approximately one third of the members will expire each year. Their successors are appointed for terms of three years each. Members serve until their successors are appointed and qualified. For the purpose of aligning term ending dates, the Council may make appointments in excess of three years (but no more than four years).

Vacancies are filled by town council appointment for the unexpired term.

B. The Commission may recommend to the municipal officers that associate members be appointed to assist the Commission as the Commission requires. Associate members are

nonvoting members, except when a quorum is absent. Their terms of office are to be for one, two or three years. Associate members are selected from the qualified resident voters of the Town.

Chapter 4.10 PARKS COMMISSION

4.10.1 Purpose.

The Town Council may appoint a Parks Commission to provide ongoing citizen recommendations relating to the improvements or development of Town-owned property that is or is likely to be developed into Town parks to insure the preservation, beauty and protection of these most valuable sites.

4.10.2 Duties.

The Commission is to:

- A. Recommend to the Town Council an overall park management plan for the identification, protection, development or use of park lands and facilities;
- B. Meet with the Town Manager to review and advise, at least twice a year, on the status and progress of the park management plan and other pertinent issues;
- C. Coordinate its activities with those of the park, recreation, school and conservation bodies organized for similar purposes;
- D. Keep records of commission finances and activities, post agendas and minutes of meetings and make an annual report to the municipality;
- E. Assure that any recommended changes affecting municipal park properties are made in conjunction with the Conservation Commission;
- F. Formulate a commission budget to be presented to the Town Council for approval.

4.10.3 Powers.

The Commission may:

- A. Make recommendations for use of the parks and park facilities to the Town Manager and/or the Planning Board;
- B. Prepare and print books, maps and plans as it deems necessary;
- C. With the approval of the majority of the Town Council, apply for grants or receive gifts in the municipality's name for any of the commission's purposes and to administer these grants or gifts for those stated purposes, as specified by the terms of the grant or gift consistent with all appropriate state statutes;
- D. Make recommendations to the Town Council for revisions to the park fee policy and rate schedules.

4.10.4 Membership.

A. The Commission consists of seven members, qualified under Section 2.07(2) of the Town charter, who have demonstrated an interest in the Town parks and facilities. Members are initially appointed for terms of one, two and three years, such that the terms of approximately one third of the members will expire each year. Their successors will be appointed for terms of three years each. Members serve until their successors are appointed and qualified. For the purpose of aligning term ending dates, the Council may make appointments in excess of three years (but no more than four years). Vacancies are filled by town council appointment for the unexpired term.

B. The Commission may recommend to the municipal officers that associate members be appointed to assist the commission, as the commission requires. Associate members are nonvoting members except when a quorum is absent. Their terms of office are to be for one, two or three years. Associate members are selected from the qualified resident voters of the Town.

4.11 Kittery Port Authority.

4.11.1 Establishment.

The Port Authority is established by Maine Private and Special Law 1961, Chapter 163, as amended, and Town Charter, Article IX.

4.11.2 Appointment and Composition.

A. The Port Authority consists of seven (7) members, who are Kittery residents serving staggered terms of office of five years.

B. Six members of the Port Authority are appointed by the Town Council, and the Planning Board Chair appoints one representative to serve on the board.

C. A municipal officer, or spouse thereof, may not serve as a member of the Port Authority.

D. Members serve until their successors are appointed and qualified.

E. No member may serve more than 2 consecutive terms of 5 years. Any member who has served 2 consecutive terms of 5 years is ineligible to serve on the Board for a period of 1 year. Computation of term limits commences with the first term of 5 years following the effective date of this provision. Service for more than one-half of a term is considered a full term for the purpose of calculating term limits. Computation of term limits does not include service prior to the effective date of this provision nor to terms of fewer than 5 years after the effective date.

F. Vacancies are filled by Town Council appointments for the unexpired term.

NOTE: Following included for information only:

KITTERY PORT AUTHORITY, PRIVATE AND SPECIAL 1961, Chapter 163

AN ACT Creating the Town of Kittery Port Authority

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Authority established. The Town of Kittery Port Authority is established, consisting of and governed by a Board of 7 members, 6 of whom are appointed by the Town Council of the Town of Kittery. At least 3 of the appointive members must be permanent residents of the Town of Kittery, and the members serve for a term of 5 years, providing that of the first appointment 2 are appointed for a term of one year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years and one for a term of 5 years. The members serve until their successors are appointed and qualified. Any vacancy occurring in the membership of the appointive members is filled by the Town Council for the unexpired term. In addition to the 6 appointive members, a member of the Town Planning Board designated by the chair of the Town Planning Board is a member of the port authority, serving for a term of 5 years or until membership on the planning Board terminates, whichever occurs first. The Board shall elect one of its members as chair, one as a vice-chair and one as secretary. The members of the Board are not entitled to compensation for their services; but their reasonable expenses incurred in the performance of their duties must be paid by the Town of Kittery. The Board has the right to adopt and alter a common seal and to establish bylaws and regulations for the management of its affairs within the meaning of this authority, the laws of the State of Maine and the ordinances of the Town of Kittery.

Sec. 2. Purposes. The Town of Kittery Port Authority, in cooperation with the other appropriate planning and development Boards that may exist in the Town of Kittery, shall:

I. Plan for the maintenance and development of the port, harbor and navigable tidal waters within the jurisdiction of the Town of Kittery, in order to foster and stimulate commercial and recreational use of these areas.

II. Aid in the development of salt water fisheries and associates industries; ship and boat building, repair and storage and associated industries; pleasure boating, swimming and other associated recreational uses of these areas and facilities.

III. Be authorized and empowered to appoint and compensate a harbor master, who will enforce the directives of the authority, such as the placement of moorings, the assignments of anchorage areas and the movement of traffic, and the use of municipally-owned wharves, docks, piers and landings.

Sec. 3. Powers and duties. In order to enable it to carry out the purposes hereof, the authority shall:

I. Have the authority to make all necessary arrangements with other port authorities of the State of Maine, other states and federal departments and agencies for the interchange of business, and for such other purposes as will facilitate and increase the purposes of this authority.

II. Establish offices for the transaction of its business at such places as, in the opinion of the authority, shall be advisable and necessary in carrying out the purposes hereof.

III. Be authorized and empowered to appoint and compensate a harbor master, who will enforce the directives of the authority, such as the placement of moorings, the assignments of anchorage areas and the movement of traffic.

IV. Be authorized to raise funds for defraying the costs of administration and operation of the authority and projects under its supervision, through fund appropriation articles in the Town warrant, submitted for consideration at any Town meeting, and through any and all other sources of revenue authorized by this act.

V. Be custodian of municipally-owned wharves, docks, piers and landings.

Sec. 4. Rules and regulations. Said authority may make such ordinances, rules and regulations touching municipally-owned wharves, docks, piers and landings, port captains, pilots and pilotage, harbors and harbor masters, for the areas herein defined as it may deem proper and from time to time may modify, rescind or alter the same. Said rules and regulations shall have the force and effect of law. Said authority shall fix the fees of pilotage and a table of such fees shall be attached to the commission of each pilot.

Sec. 5. Pilots. The authority may prescribe the qualifications of pilots, and from time to time appoint and commission, under its hand and seal, as many pilots as it may judge necessary, and remove the same at pleasure, and it shall take from them such security, by bond or otherwise as it may deem proper.

Sec. 6. Authority of pilot. Any pilot appointed by the authority who has given security for the faithful discharge of his duties may take charge of any vessel, except pleasure, coasting and fishing vessels of the United States registry of 150 registered or enrolled tons and under, and except as provided in section 7, and shall pilot such vessel into or out of the river and harbor of the Piscataqua, to ports or locations within the jurisdictional area of this authority, first showing to the master thereof his appointment, if requested.

Sec. 7 Fee an offer. Any master or owner may pilot his own vessel into the area herein defined, but if a pilot shall speak and offer service to a vessel, excepting registered or enrolled vessels of the United States, bound into said area south of a line drawn east and west from Whale's-back lighthouse, or shall offer service to a vessel bound out of said area excepting registered or enrolled vessels of the United States, before they leave the wharf, he shall be entitled to $\frac{1}{2}$ of the fee specified in his warrant in case the master declines to employ him, and, on refusal of payment, may sue for and recover same.

Sec. 8. Harbor master. The harbor master appointed by the authority shall have the authority, under the supervision of the authority, to oversee the jurisdictional area of this authority, to preserve and regulate navigation within said waters, to assign moorings, require the same to be kept in safe condition, to require the removal of vessels if necessity or an emergency arises, to inquire into and prosecute all offenses occurring within his jurisdiction and to perform such duties and enforce such regulations as the authority shall prescribe. The harbor master shall have authority to make arrests for offenses under the provisions of this chapter, as other peace officers are authorized to do.

Sec. 9. Penalty. Whoever violates any of the rules or regulations of the authority promulgated under the authority of this chapter, or refuses or neglects to obey the lawful and reasonable orders of a harbor master or resists him in to execution of his duties shall be punished by a fine of not more than \$50. All fines collected under this section shall be forwarded to the port authority and by it applied to the salary of the harbor master.

Sec. 10. Definition. The word "vessel" as used in this chapter shall include boats of all sizes propelled by said, machinery or hand, scows, dredges, shellfish cars and craft of every kind.

Sec. 11. Authorization to establish foreign-trade zones and free port areas.

I. Said authority is authorized to make application to the Secretary of Commerce of the United States for the purpose of establishing, operating and maintaining foreign-trade zones in the area herein described, under the Act of Congress passed at the second session, 73rd Congress, providing for the establishment, operation and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes.

II. Said authority shall have full power and authority to select and describe the location of the zone for which application to establish may be made and to make such rules and regulations concerning the operation, maintenance and policing of same as may be necessary to comply with the Act of Congress creating said foreign-trade zones, or as may be necessary to comply with such rules and regulations made in accordance with the Acts of Congress, relating to foreign-trade zones.

III. Said authority shall have full power and authority to lease the right and erect, maintain and operate any structures or buildings or enclosures as may be necessary or proper for the establishing and operating any such foreign-trade zones that might be established in the area herein described under and by virtue of said act of the 2nd session of the 73rd Congress.

IV. The authority hereby granted to said port authority confers on said port authority the right and duty to do all things necessary and proper to carry into effect the establishing, maintaining and operating of foreign-trade zones within the area herein described to comply in full with the provisions of said Act of Congress and all regulations that might be made thereunder.

V. The Town of Kittery Port Authority shall have the power and the duty to establish in the area herein described an area wherein personal property in transit shall be exempt from the provisions of the stock-in-trade tax and other such taxes and customs as are normally levied in a port of entry. For the purpose of this section, personal property in transit through the areas established by this port authority is defined as follows: Goods, wares and merchandise which is (1) moving in interstate or international commerce through or over the areas hereinbefore established, or (2) which was consigned to a warehouse, public or private, within the Town of Kittery, whether specified when transportation begins or afterward.

Such property shall not be deprived of exemption because while in the warehouse the property is assembled, bound, joined, processed, disassembled, divided, but, broken in bulk, relabeled or repackaged.

The exemption granted shall be liberally construed to effect the purpose of this act. Provided, however, that the warehouse in which said goods, wares or merchandise be stored shall not be owned, in whole, or in part by the consignee or consignor.

Sec. 12. Severability. If any provision of this chapter shall be held invalid, the remainder of the chapter shall not be affected thereby.

Amended:

Private and Special 1963, Chapter 97, §2

Private and Special 1993, Chapter 26, §1